

CANYONS OF THE ANCIENTS NATIONAL MONUMENT
Advisory Committee Meeting Minutes
March 9, 2004

Advisory Committee Attendees:

Bob Clayton	Chris Majors	Mark Varien
Bud Poe	Chuck McAfee	Kelly Wilson
Bill Lipe	Liz Tozer	

Bureau of Land Management Attendees:

LouAnn Jacobson, Monument Manager

Steve Kandell, Monument Land Use Planner

Victoria Atkins, Anasazi Heritage Center Interpretive Specialist

Laura Kochanski, Monument Archaeologist

Howard Sargent, Assistant Manager, San Juan Public Land Center

Public Attendees:

Amber Clark, Chris Nickel, Nate Thompson, Noreen Fritz, M.B. McAfee, Gala Pock, Walt Heikes, Leslie Sesler, Tim Hovezak, Phil Weiser, George Greenbank, Chester Tozer, Marilyn Boynton

Agenda

9:00am - 9:15am	Greetings and Introductions
9:10am - 9:20am	Approval of Minutes from the February 17 th Meeting
9:20am – 9:30am	Planning and Monument Manager Update
9:30am - 10:00am	Oil and Gas Resources Working Group Report
10:00am - 10:10am	Break
10:10am – 11:10am	Discussion on Oil and Gas Resources
11:10am – 11:30am	Public Comment
11:30am – 12:00pm	Vote on Oil and Gas Resources Resolution
12:00pm – 12:30pm	Lunch at Anasazi Heritage Center

- Overview of Monument Transportation and Infrastructure

12:30pm - 1:30pm	Transportation and Infrastructure Working Group Report
1:30pm - 2:30pm	Discussion on Transportation and Infrastructure
2:30pm - 3:00pm	Public Comment
3:00pm - 3:15pm	Next Agenda

Note, the remainder of these minutes describes the discussion associated with each agenda topic.

Greetings and Introductions

Kelly Wilson welcomed all participants. He addressed the Committee and stated that we had a quorum (i.e., at least seven members present). Kelly asked everyone (i.e., Committee members and the public) to introduce themselves.

Approval of Minutes from the February 17th Meeting

Kelly Wilson asked the Committee if there were any requested changes to the minutes from the February 17, 2004 meeting. Bill Lipe stated that in the first paragraph on page seven, the statement of “13 to 1,500 feet” needs to be put in the context of “direction drilling.” Bill also provided a copy of the meeting minutes with several minor edits. Chuck McAfee made a motion to approve the minutes. Bill Lipe seconded the motion.

Planning and Monument Manager Update

Liz Tozer provided Committee members with information concerning the Brunot agreement. The information she obtained on this agreement came from the Colorado Division of Wildlife (DOW). Liz thought the very southeast corner of the Monument, including Alkali Canyon, was included in the Brunot agreement. In addition, she stated that the agreement provided only for hunting rights. Last, Liz stated that the agreement only applied to the Ute Mountain Ute and not the Southern Ute. Steve Kandell noted that the DOW has a GIS coverage illustrating the boundary of the Brunot agreement. He stated that he would obtain it and then illustrate it on a map with other Monument information.

LouAnn Jacobson then addressed the Committee. She stated that the Monument had just closed on two land acquisitions. The first was a 440 acre in-holding in Trail Canyon, while the second was 135 acres adjacent to the Monument near Lowry Pueblo. LouAnn also stated that both she and Steve Kandell were participating in Mesa Verde National Park’s Native American meeting on March 11, 2004 in Pojaque, New Mexico. LouAnn provided an overview of the BOC lawsuit that a member of the public brought up at the prior meeting. She clarified that BOC was not being sued by BLM. Instead, the Department of Justice is suing BOC for under reporting the amount of CO2 they have extracted under their federal lease. LouAnn then stated that the Farm Service Agency (FSA) recently agreed to transfer over a 520 acre in-holding in the Monument to

BLM. Kelly Wilson noted that the Montezuma Weed Committee wrote a letter to FSA offering to spray the land before transferring it to the BLM.

Bill Lipe asked if the Committee has a meeting schedule following the April 13, 2004 meeting. Steve Kandell stated that they did not at this time.

Steve Kandell announced that the final Scoping Report was now completed and available to the public on the Monument's planning website. Steve also reported that Dolores County Commissioners nominated two individuals to replace Duane Gerren on the Committee. These nominees have been requested to complete application forms and submit them to the Monument Manager. Once these forms have been reviewed by the Monument Manager they will be forwarded to the Secretary of the Interior for her review and final selection.

Oil and Gas Resources Working Group Report

Bob Clayton read through his revised fluid minerals recommendations (see attached). Chuck McAfee suggested editing Management Action 2-2 to read "Work with all interested parties to identify strategies (e.g., develop well field development plans) to complete the application permit to drill (APD) and environmental compliance processes, required to authorize exploration and production, in a timely manner." The Committee agreed to make the change.

Under Objective 1, Bill Lipe felt there was a need to educate the public about the laws fluid mineral operators are required to follow to protect natural and cultural resources. After some discussion, Bill suggested adding Management Action 1-4. This action would read "Include in all forms of education (e.g., brochures, museum exhibits, interpretive signs) information about federal laws fluid mineral operators must comply with to protect natural and cultural resources in the Monument." The Committee agreed to add the management action.

Bill Lipe asked if the Self Audit Assessment Team, identified in Management Action 2-1, would be formalized through the Monument Advisory Committee. Bob Clayton stated that he saw this team working independently to resolve issues. Bud Poe asked how many operators there were in the Monument. Bob responded about 15 to 20. Bob also stated that since the start of the Monument planning process communication between the fluid mineral operators on the Monument has increased.

Mark Varien felt that stronger wording was needed under Management Action 2-3. He felt that extending leases as a result of extenuating circumstances (e.g., lawsuits) may be appropriate, but these circumstances need to be specified. Bill Lipe also suggested that the word "determine" in Management Action 2-3, be replaced with "specify." The Committee agreed to the change.

Chuck McAfee asked if fluid mineral leases could be bought and sold. LouAnn Jacobson responded yes. Bill Lipe felt that the language in the proclamation is attempting to phase out fluid mineral development in the Monument over time. Chris Majors stated that the oil and gas industry is a vital component of Montezuma County's economy and should be protected. LouAnn Jacobson reminded the Committee that 85 percent of the Monument is currently leased for fluid mineral development and that the majority of these leases are held, in perpetuity, by production.

Referring to Management Action 2-5, Bud Poe asked what “temporary fencing” meant. Is the fencing in place only during the production of fluid minerals, or until the disturbed area has been reclaimed? LouAnn Jacobson noted that fencing should be in place until reclamation is completed. Bud Poe then suggested editing the best management practice (BMP) to read “Temporary fencing to protect site boundaries.” The Committee agreed to the edit.

Bill Lipe suggested that “cultural resources” be added to Objective 3. Furthermore, he suggested editing Management Action 3-2 to read “Encourage the use of directional drilling from existing well pads, to avoid conflict with cultural and natural resources. The Committee agreed to the edits. Chuck McAfee asked if other language could be used in several of the actions, under Objective 3 to provide operators with “incentives”, instead of just “encouraging”. Bob Clayton stated that operators have a large financial incentive to follow several of these actions already.

Kelly Wilson stated that the reference to “CO2 well bores” under Management Action 3-4 should be deleted. He felt that this action should not be limited to CO2 only, but should be applied to all fluid mineral operators (i.e., oil, natural gas and CO2). The Committee agreed to the edit. Mark Varien stated that “BLM” should be replaced with “fluid mineral operators” under Management Action 3-12.

Chuck McAfee suggested editing Management Action 4-1 to read “Hold an annual workshop to educate fluid mineral operators about other multiple uses and resources on the Monument and how they can assist BLM in managing and protecting them.” Bill Lipe asked if Bob Clayton had any concerns with vandalism to fluid mineral facilities as visitation increases. Bob stated that the only vandalism he has experienced is limited sign and insulator shooting.

Public Comment

Referring to Management Action 2-2, Amber Clark of the San Juan Citizens Alliance asked if speeding up the APD and environmental compliance processes would exclude public involvement. LouAnn responded that providing adequate public involvement is a Monument policy that would not be removed. Instead, strategies such as completing APD and environmental compliance processes for multiple wells versus a single well would be pursued.

Chester Tozer stated that an individual is suing BOC on behalf of BLM.

Marilynn Boynton suggested that there should be a management action that allows the Monument Manager to slow down fluid mineral development if cumulative impacts become too great.

Leslie Sesler stated that she has worked as an archaeologist on 3D Seismic Exploration projects and that often the buggies get lost. As a result, cultural resources are damaged. Leslie recommended that during all 3D Seismic Exploration projects an archaeologist should direct the buggies in the field. Bill Lipe suggested adding this type of action to the cultural resource recommendations. Steve Kandell proposed an action that reads “Require an archaeologist to lead vibroseis buggies in the field to monitor impacts to cultural resources.”

Vote on Oil and Gas Resources Resolution

Chris Majors made a motion to accept the Fluid Minerals Recommendations as revised. Liz Tozer and Bill Lipe seconded the motion. Kelly Wilson asked if there was another discussion. He then asked the Committee all in favor say “aye.” All Committee members present said “aye.”

Transportation and Infrastructure Working Group Report

Kelly Wilson asked Chuck McAfee to serve as facilitator while he presented his transportation recommendations. Chuck agreed to serve in this role. Kelly read through the transportation recommendations and then asked the Committee for their comments.

Bud Poe suggested adding “adjacent landowners” to the goal statement. Chuck McAfee added that the transportation plan will have a long life and therefore, the goal statement should be written to accommodate future change. Bill Lipe stated that the biggest challenge under transportation is determining how much motorized access there should be. Should BLM accept what routes are in place or should some be closed? Bill stated that illegal motorized access has the potential to be one of the most significant impacts on Monument resources.

Chuck McAfee asked if the development of trails conflicts with the proclamation. Steve Kandell noted that the proclamation doesn’t preclude trails from being constructed. However, the Monument is still waiting on an opinion from the solicitor about how to interpret the proclamation language of “prohibiting motorized and mechanized vehicles off-road.”

Liz Tozer noted that there are routes on the Monument that don’t go anywhere and therefore could be closed. Bill Lipe suggested that BLM use aerial photos to determine what routes and trails exist on the ground and then make decisions on closures and restrictions. Chris Majors stated that one option would be to look at making seasonal closures rather than year around closures.

Bill Lipe noted that one approach to transportation planning would be to identify all the points of interest people need to access. Once these are identified then a transportation system can be developed to reach these areas. Mark Varien asked how much route and trail inventorying has been completed for the Monument. Steve Kandell noted that the BLM completed a GPS inventory of most routes and trails in 2001 and 2002. Kelly Wilson stated that the county is preparing to get new aerials of the entire Monument. Using both BLM and county data, the BLM should sit down with users and land owners to develop a transportation system.

Bud Poe stated that landowners have already identified access needs with the county and that this information should be shared with BLM. Chris Majors asked if the Monument should be consulting with the San Juan County Commissioners about transportation routes that cross the Colorado/Utah border. Steve Kandell stated that he has spoken with the BLM Monticello field office in Utah about transportation planning in the past, but needs to begin talking with them in more detail.

Mark Varien asked if all the routes on the Monument originate from county roads. Furthermore, he asked if there are instances where oil and gas roads leave county roads and then go through private property. Bob Clayton stated that there are some places where this does occur. Chris Majors asked if private landowners can cut off public access on roads that traverse their property. LouAnn Jacobson stated that unless BLM has legal access across private property, land owners could close roads that cross their property. Bud Poe stated that private landowners need to be consulted with to make certain their access concerns are addressed. Chuck McAfee stated that the BLM also needs to look at all the resources along existing routes and trails in determining if they should remain open or be closed.

Chris Majors stated that providing unrestricted access to private lands should be a management action in the plan. Chris noted that private landowners have a fear of losing access to their in-holdings. Liz Tozer stated that there are a total of 29 in-holders in the Monument. Steve Kandell noted that BLM has a legal obligation to provide access to private in-holdings. LouAnn Jacobson stated that she would attempt to get a BLM realty specialist to come to the next meeting to discuss access issues.

Referring to the “Range of CANM Uses” page, Chris Majors suggested removing “wildlife” under the grazing subheading and replacing it with “transporting livestock.” In addition, he suggested developing a new habitat subheading and placing “wildlife” under it. Other changes suggested under the “Range of CANM Uses” section include developing a new “Education and Interpretation” category, changing the reference to “Oil, Gas, CO2” to “Fluid Minerals,” replacing the terms “bikers,” “atv,” and “ohv,” with “motorized and mechanized,” changing “Indian Traditional Uses” to “Native American Traditional Uses,” and adding “fire prevention” under “Fire Control.”

After some discussion, the Committee agreed to edit Objective 2. The result was three separate objectives. They include “Identify points of interest in the Monument (e.g., recreation and archaeological sites),” “Formalize a road and trail system that supports the full range of multiple uses including in-holder access and the full range of recreational use,” and “Establish criteria for defining the road and trail system.”

Bill Lipe commented that the BLM needs to identify specific criteria for closing and opening roads, since it is likely that the transportation plan will be a point of contention. Bob Clayton asked how the plan will incorporate the need for future changes to the transportation plan. Steve Kandell responded that the plan can incorporate new information through maintenance, amendments and the adaptive management process.

Mark Varien suggested making the “Recreation Trail Rating” recommendation into a management action.

Public Comment

Chester Tozer made several statements concerning access to the Monument through private land. Referring to a private road in McElmo Canyon accessing Cannonball Mesa, Mr. Tozer stated that the BLM told this private landowner to lock his gate several days a year. As a result, Mr. Tozer said he cannot access the Monument using this private road anymore. Mr. Tozer then stated that

a road across his property, accessing a reservoir and spring in the Monument, is not open for public use.

Amber Clark of the San Juan Citizens Alliance stated that on March 23, 2004 there will be a community meeting to discuss transportation in the Monument. Furthermore, Kelly Wilson is planning to attend this meeting. Amber stated that in developing the transportation system, BLM should start with only what roads are necessary. Also, some user groups may not be able to adequately identify which roads should be open, since they don't know the locations of many of the sensitive resources in the Monument. Last, Amber felt that the plan should define what a "road" is.

George Greenbank stated that the transportation plan is one of the most important issues the Committee can help in developing. Mr. Greenbank felt that the rights of private landowners in and around the Monument need to be clarified in the plan. He questioned what rights he has to access the Monument from his adjacent land holding. Furthermore, he asked if there is potential for BLM to develop a road or trail through his property to access the Monument.

Marilyn Boynton suggested that the age component of the recreation rating system should be removed. She felt age should not be a deciding factor in determining what trail(s) are appropriate for a person to use. Instead, the difficulty of the trail should be described. Ms. Boynton noted that the Monument has several access points around its boundary. As a result, it has the potential to be overwhelmed by visitors.

Phil Weiser stated that the San Juan County definition of a road should be applied on the Monument.

Leslie Sesler stated that ground truthing should be conducted to verify roads and trails illustrated on aerial photos. Furthermore, different user groups and volunteers could be instrumental in completing this work.

M.B. McAfee commented that she doesn't think the Committee has determined if use in the Monument should be dispersed across the entire landscape, or concentrated in specific areas. Coming to some level of consensus on this issue could help in developing recommendations on transportation planning in the Monument. M.B. also stated that scientific input is needed to make sure that wildlife habitat is not fragmented by roads and/or trails. Last, M.B. stated that the plan should address approaches for restoring closed and abandoned roads.

Tim Hovezak stated that the BLM needs to develop a position on air traffic over the Monument. Also, he questioned whether BLM would allow helicopters to land in the Monument. Steve Kandell stated that coordination with the FFA on over flights should be addressed in the plan.

Chris Nickel stated that access to Hovenweep National Monument units is provided by BLM roads. As a result, Hovenweep needs to work closely with Canyons of the Ancients in developing a transportation system.

Marilyn Boynton commented that the current transportation system in the Monument is very dispersed. She questioned if this type of road proliferation should continue or if we should develop areas of concentrated development and areas left developed.

Phil Weiser asked the Committee if anyone was aware of public land in the Monument for sale. LouAnn Jacobson replied that the proclamation prevents any public land within the Monument from being sold. Mr. Weiser asked if any public land was for sale in the United States. LouAnn replied that each BLM resource management plan identifies public lands for disposal and/or exchange.

Bob Clayton made a motion to adjourn the meeting, Bud Poe seconded the motion. The meeting adjourned at 3:06pm

CANYONS OF THE ANCIENTS NATIONAL MONUMENT ADVISORY COMMITTEE FLUID MINERALS RECOMMENDATIONS

Goal

Provide for continued research, development, exploration and production of fluid minerals (i.e., oil, gas and CO₂) in Canyons of the Ancients National Monument (Monument), while mitigating any new impacts that interfere with the proper care and management of the objects protected under the proclamation.

Objective 1: Educate visitors on the history of multiple-use management in the Monument, through a cooperative effort with users (e.g., fluid mineral operators, livestock grazing permittees, outfitters and guides, recreationists).

Management Action 1-1: Develop a brochure on multiple-use activities that discusses their culture and heritage, environmental stewardship and economic impact on local and regional economies. This brochure should be distributed to visitors before they enter the Monument.

Management Action 1-2: Develop a museum exhibit at the Anasazi Heritage Center and Hovenweep National Monument that describes multiple-use activities that occur on the Monument, and the unique resources they rely on (e.g., geologic formations).

Management Action 1-3: Construct interpretive signs at accessible fluid mineral development facilities. Information these signs could convey to the public include a description of the equipment, safety issues and how resources produced at the facility are used within the United States.

Management Action 1-4: Include in all forms of education (e.g., brochures, museum exhibits, interpretive signs) information about federal laws, fluid mineral operators must comply with to protect natural and cultural resources in the Monument.

Objective 2: Collaborate with operators on the Monument to resolve issues relating to fluid minerals research, exploration, production, reclamation and resource impacts.

Management Action 2-1: Encourage fluid mineral operators to form a Self Audit Assessment Team. This team would inspect facilities across the Monument, to resolve operations issues and develop strategies to mitigate resource impacts.

Management Action 2-2: Work with all interested parties to identify strategies (e.g., develop well field development plans) to complete the application permit to drill (APD) and environmental compliance processes, required to authorize exploration and production, in a timely manner.

Management Action 2-3: Work with fluid mineral operators to specify the conditions that must exist to support the extension of a lease.

Management Action 2-4: Work with fluid mineral operators to develop a schedule and list of maintenance requirements for managing fluid mineral facilities.

Management Action 2-5: Work with fluid mineral operators to incorporate BLM best management practices (BMPs) into all aspects of their work on the Monument. BMPs may include:

- **Minimizing Wildlife Habitat Fragmentation by:**
 1. Minimizing roads, utilities and well pads
 2. Drilling multiple wells from a single pad
 3. Eliminating hazards to wildlife
 4. Reducing noise in sensitive areas
 5. Monitoring production facilities remotely
 6. Intermediate and full reclamations
- **Reducing Impacts to Visual Resources by:**
 1. Repeating elements of form, line, color & texture from the landscape
 2. Location of roads & well pads
 3. Selection of structures
 4. Reducing unnecessary disturbance
 5. Reclamation/Restoration
- **Minimizing Impacts to Cultural Resources by:**
 1. Use of archeological surveys
 2. Minimizing roads and surface disturbance
 3. Location of roads and well pads
 4. Temporary fencing to protect site boundaries
- **Construction, Operations & Reclamations**
 1. Pre-permitting meetings with BLM
 2. Proper construction techniques
 3. Maintenance of production facilities
 4. Full site reclamation at the final abandonment stage

Objective 3: Develop specific approaches to minimize impacts, resulting from fluid minerals exploration and production, on natural and cultural resources.

Management Action 3-1: Encourage the use of the least invasive technologies (e.g., 3D Seismic) to reduce impacts (e.g., dry hole well pads and related roads) resulting from fluid mineral exploration.

Management Action 3-2: Encourage the use of directional drilling from existing well pads to avoid conflict with cultural and natural resources.

Management Action 3-3: Encourage the use of tubing-less completions in new wells for the extraction of CO₂, to increase production rates.

Management Action 3-4: Encourage the practice of re-entering old fluid mineral well bores (e.g., horizontal drilling) that are declining in production, to increase production from existing wells.

Management Action 3-5: Encourage fluid mineral operators to share well pads and associated infrastructure (e.g., roads).

Management Action 3-6: Encourage fluid mineral operators to use already disturbed areas (e.g., chainings) in the development of new well pads.

Management Action 3-7: Encourage CO₂ operators to pursue casing liner technology. Casing liner technology could transform tubing completions into tubing-less completions, which would increase production rates at old CO₂ wells.

Management Action 3-8: Work with fluid mineral operators to identify new strategies for reclaiming disturbed well pad sites. This could include utilizing new methods of stimulating plant growth (e.g., using produced water).

Management Action 3-9: Encourage the use of the latest technologies in sound abatement for pump jack engines and compressors. Require the use of advanced muffler systems and/or enclosures to reduce noise levels originating from pump jack engines and compressors.

Management Action 3-10: Encourage the use of the latest technologies in lighting fixtures to reduce light pollution from fluid mineral facilities.

Management Action 3-11: Require fluid mineral operators to turn off lights when not absolutely necessary for facility operations and/or employee safety.

Management Action 3-12: Work with fluid mineral operators to develop a schedule and goals for reclaiming old well pad locations.

Management Action 3-13: Encourage fluid mineral operators to use underground plug and abandonment (P&A) markers to remove all signs of the well from the ground surface.

Objective 4: Utilize the field presence of fluid mineral operators in the Monument to further the protection of Monument resources (e.g., cultural resources).

Management Action 4-1: Hold an annual workshop to educate fluid mineral operators about other multiple uses and resources on the Monument and how they can assist BLM in managing and protecting them.

Management Action 4-2: Encourage fluid mineral operators to report illegal activities (e.g., vandalism) and resource degradation occurring on the Monument.

Objective 5: Consider the socioeconomic impact of fluid mineral management decisions on local and regional economies.

Management Action 5-1: Work with operators to inform Montezuma and Dolores Counties, on an annual basis, of the short and long term projected fluid mineral development in the Monument.